

Indo-US Nuclear Deal: An Assessment

M. Shafi Bhat

Teacher,
Centre for International Relations,
Islamic University of Science and Technology,
Awantipora, Kashmir, INDIA.

(Received on: May 12, 2014)

ABSTRACT

Energy security and the state security are closely interlinked. Energy security plays an important role in the development of country. It enhances a nation's economic power and therefore, political status by providing it with the resources to pull its people out of poverty and pursue national growth and development. The purpose of the (Indo-US Nuclear deal) agreement is to enable full civil nuclear and energy cooperation between the India and the United States. The agreement provides full civil nuclear energy cooperation covering nuclear reactors and aspects of the associated nuclear fuel cycle including enrichment and reprocessing. This agreement also opens the door for cooperation in civil nuclear energy with other countries. The ambit of the deal includes research, development, design, construction operation maintenance and use of nuclear reactors, reactor experiments and decommissioning. This agreement has 17 articles which deal with definitions, scope of protection, transfer of nuclear material and related technology.

Keywords: IAEA, nuclear material, non-nuclear material.

INTRODUCTION

The agreement has 17 articles which deals with definitions, scope of protection, transfer of information, nuclear trade,

transfer of nuclear material, non-nuclear material, equipment, components and related technology, nuclear fuel cycle activities, storage and retransfer of physical protection peaceful use, IAEA safeguards

environmental protection, implementation of the agreement consultations, termination and cessation of cooperation, settlement of disputes, entry into force and duration, and administrative arrangements. The agreement stipulates that such cooperation will include nuclear reactors and aspects of the associated nuclear fuel cycle, including technology transfer an industrial or commercial scale. It would also include development of a strategic reserve of nuclear fuel to guard against any disruption of supply over the life time of our reactors. The US has a longstanding policy of not supplying to any country enrichment, reprocessing and heavy water production facilities. This agreement provides for such transfers to India only through an amendment.

AMBIT OF NUCLEAR DEAL

The ambit of the deal includes research, development, design, construction, operation, maintenance and use of nuclear reactors, reactor experiments and decommissioning. The US will have the right to seek return of nuclear fuel and technology but it will compensate for the costs incurred as a consequence of such removal. India can develop a strategic reserve of nuclear fuel to guard against any disruption of supply over the life time of its reactors. The agreement provides for consultation the circumstances, including changed security environment before termination of the nuclear cooperation. There is a provision for one year notice period before termination of the agreement. The US is to engage the NSG to help India obtain full access to the international fuel

market, including reliable uninterrupted and continual access to fuel supplies from in several nations.

NUCLEAR DEAL: SOME ISSUES & CONCERNS

Some important questions arise from the whole issue. Could a country follow an independent foreign policy to achieve its national interest in the current globalised era when it is bound by international and bilateral agreements? What would be the Pro and cons. If India back track from this agreement? In order to ensure free and fair IAEA inspections civilian nuclear facilities and to be repeated from the military related ones. There is concern in same quarters about the US Bill that seeks “fall back” inspections of the IAEA concludes that it is unable to carry out proper inspection because India is not cooperating. In such occasions, India has to permit bilateral inspections.

The US diplomatically pressurized the Indian government to undertake the following measures to reach full civil nuclear energy cooperation. First of all, India has to separate civilian nuclear facilities, then India needs facilities and accept IAEA safeguards on separated civilian nuclear facilities. Then India needs to sign an additional protocol for the supervision of nuclear facilities by the IAEA. Besides, India has to support US efforts for a multilateral fissile Material cut off treaty (FMCT). India cannot transfer enrichment and reprocessing technologies to other state. Finally, India is to advert to NSG guide lines and Missile technology control Regime (MTCR) on civilian nuclear

facilities in perpetuity to secure nuclear materials and technology from being transferred to other states. In response to apprehensions as regards how the legislation would make an impact on India, Pranab Mukherjee, the external Affairs Minister made a statement in the Indian parliament.

The left parties aired their concern on the nuclear deal in a statement saying that the deal has direct implications for national interest and sovereignty as it curtails India's Independent foreign policy. Therefore, they objected to the operationalization of the deal. The central government sought to allay the left's concerns about the Indo-US nuclear deal by saying that India was not bound by the Hyde Act.

The two contentious agreements related to Indo-US Nuclear Deal are the 123 Agreement and the Hyde Act. The Hyde Act which is originally known as 'Henry J. Hyde United States-India Peaceful Atomic Energy Cooperation Act of 2006'. States that secure India's full and active participation in United States efforts to dissuade, isolate and if necessary, sanction and contain Iran for its efforts to acquire weapons of mass destruction.

On 27 September, the House of Representatives cleared the Indo-US nuclear

deal as 298 members favored the Bill while 117 voted against on 1 October, Senate approved the Indo-US civil nuclear deal with 86 votes for the 13 against. The following day, US Secretary of State's Condoleezza Rice visited New Delhi to sign the nuclear agreement but New Delhi insisted that it would do so only after President Bush signs it into a law. President Bush signed legislative bill to law on October 8, 2008. The law is known as United States India nuclear cooperation approval and non proliferation enhancement Act. India's external Affairs Minister Mr. Pranab Mukherjee visited US on 10th October 2008 and signed the final document with US Secretary of State Condoleezza Rice.

REFERENCES

1. Daniel Yergin 2006, "Ensuring Energy Security" *Foreign Affairs* 2006 vol.85 No.2 pp 69.
2. India Joins Nuclear club gets NSG waiver (www.ndtv.com)
3. Shahi R.V, "India's strategy towards energy development and energy security. Secretary to the government of India.
4. IAEA board approves India safeguards agreement 2008.